

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

Kimberly Gordon

07658-032

(Enter above the full name of the plaintiff
or plaintiffs in this action).

(Inmate Reg.# of each Plaintiff)

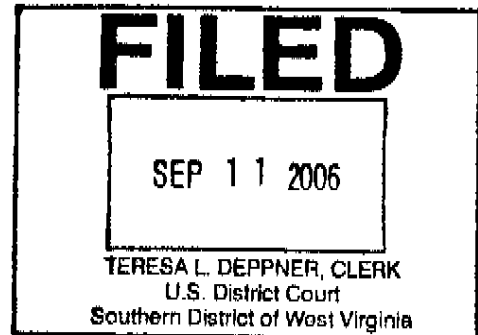
VERSUS

CIVIL ACTION NO. 1:06-0702

(Number to be assigned by Court)

Deborah Hickey, Warden
Bureau of Prisons.
Prison Officials

(Enter above the full name of the defendant
or defendants in this action).



COMPLAINT

I. **Previous Lawsuits**

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes

X

No

- B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit

Plaintiffs:

Kimberly Goodson

Defendants:

Deborah Hickox, Warden;
Neal Rehberg, Clinical Director;
Kim Bennett, Trust Fund Supervisor;
Tamara Ditt, RN;

2. Court (if federal court, name the district; if state court, name the county):

Bluefield

3. Docket Number: 1:05-cv-00676

4. Name of judge to whom case was assigned:

R. Clarke VanDewort

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

Still pending

6. Approximate date of filing lawsuit:

July 21, 2004

7. Approximate date of disposition:

Yes X

No _____

Yes X

No

1. What steps did you take?

and obtained a tort claim

2. What was the result?

it is still pending

D. If your answer is NO, explain why not:

A. Name of Plaintiff:

Kimberly Gordon 07658132

Address:

Bld Range 4 Federal Prison Camp P.O. Box 4
Alderson, WV 24910.

B. Additional Plaintiffs and Address:

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant Deborah Hickey
 is employed as Warden
 at Alderson FPC, Bureau of Prisons.

D. Additional defendants: _____

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheet if necessary).

On August 19, 2006 Inmate Cordson was beat savagely around the head and face with a combination lock. Resulting in a hair line fracture above the right eye socket constituted Cruel and Unusual punishment violating Cordson's Eighth Amendment rights to be free from Cruel & unusual punishment and Unnecessary wanton infliction of pain that violated

IV. Statement of Claim (continued):

Standards of decency. Deliberate indifference of Prison officials to the seriousness of the assault was unnecessary and wanton infliction of pain. ~~Prisoner~~ Inmate Cordson was denied access to medical treatment (after care) or psychological help.

Prisoners are entitled to protection from assaults by other prisoners. Prison officials have duty under Eighth Amendment to protect prisoners from violence at hands of other prisoners. Prison officials inadequately screened inmates mental, emotional or other problems resulting in injury to inmate Cordson.

V. RELIEF

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Compensatory and PUNITIVE Compensation for injuries that are caused by the deprivation of constitutional rights of inmate Cordson. Wrongful act was done intentionally and maliciously, Embarrassment, humiliation, and Improper deprivation. Plaintiffs Eighth Amendment rights have been violated. Reckless or Callously indifferent deprivations of federal statutory or Constitutional rights as well as for deprivations motivated by actual Malicious intent.

Page 2 of Statement of Claim

Officials failed as a result of deliberate indifference to protect Plaintiff from violence of other inmates states claim of cruel and unusual punishment. Failure to Employ and train sufficient prison security personnel to ensure safety of inmates from physical attacks by other inmates constitutes Cruel and Unusual punishment. Only one officer was on duty to provide safety and security for an entire building which has four (4) units and houses over 600 inmates. The building was seriously overcrowded with inmates sleeping in TV rooms converted to fish tanks, bus stops, and hall ways. at the time of the assault the one officer was at the smoke shack smoking and left the unit without a guard on duty.

Eighth Amendment imposes obligation of federal Correctional officers to take reasonable steps to protect inmates from violence at hands of other inmates. Prison officials had knowledge of impending risk of harm and injury. Inmate "DPR" had made phone calls stating she was going to get a transfer close to her family. Officials were deliberate indifference to prisoners right to security. Officials failed to screen phone calls of inmate "DPR" to be assigned to "investigative status" officials could have taken measures to reduce incidence of such violence. Officials are guilty of negligence and deliberate indifference to the seriousness of the situation.

Overcrowding and lack of security violated Eighth amendment Cruel and Unusual punishment clause "overall conditions were inhumane".

Page 3 of Statement of Claim

Officials ignored advice of doctor and interfered with course of medical treatment. Inmate Cordson was instructed to apply ice and take Tylenol for pain. Certain treatment eliminated pain and suffering at least temporarily. Officials failed to deliver inmate Cordson's medication in timely fashion and failed to give ice in a timely manner while in protective custody. Cordson was denied access to medical and/or psychological help. Officials showed deliberate indifference to medical needs of Cordson who was seriously injured during the assault with a lock.

V. Relief (continued)

Plaintiff was beaten by a fellow inmate with a lock resulting in irreparable harm (broken bone fracture above the right eye socket). Wrongful act was done intentionally and maliciously, embarrassment, humiliation, and improper deprivation. Plaintiff suffers mental and emotional distress, continued physical illness, and disfigurement. All legal fees incurred.

VII. Counsel

- A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

- B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes _____

No X

If so, state the name(s) and address(es) of each lawyer contacted:

If not, state your reasons: I would like a Court appointed lawyer.

- C. Have you previously had a lawyer representing you in a civil action in this court?

Yes _____

No X

If so, state the lawyer's name and address:

Signed this 5th day of September, ~~18~~ 2006

Kimberly Goodson
07658-032 Blvd Range 4

Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 5, 2006
(Date)

Kimberly Goodson
Signature of Movant/Plaintiff

Signature of Attorney
(if any)

BP-S148.055 INMATE REQUEST TO STAFF CDSRM

SEP 98

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) <i>AW Stafford</i>	DATE: <i>8-27-06</i>
FROM: <i>Kimberly Carkson</i>	REGISTER NO.: <i>07658-032</i>
WORK ASSIGNMENT: <i>Recreation</i>	UNIT: <i>B Bld Range 4</i>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

On 8-24-06 Ms Flack moved Mr. WAK assignment to B-4 from AR-1. I came to Mr. George Garrett's office and told him I had been assaulted with a lock and Mr. WAK still had been moved. Mr. Garrett told me to come to him on 8-25-06 and he would tell me where I would go and what I would be doing. On 8-25-06 I went to Dick Call just like we suggested I do. To get re-evaluated after the assault. Inmate Ashworth informed me that ~~Mr~~ Mr. Call had no jobs open and put me on the Hospital Maintenance job detail. I said "what" Inmate Ashworth told me again so there for I went to Mr. Garrett myself. Why did Mr. Garrett discuss this with an inmate?

(Do not write below this line)

DISPOSITION:

*Resolved
Changed to B-4 for 8/31/06
per request*

*Cop out regarding
the treatment I
received after the
assault*

Signature (Staff Member) <i>[Signature]</i>	Date <i>8/30/06</i>
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Record Copy - File; Copy - Inmate
(This form may be replicated via WP)

This form replaces BP-148.070 dated Oct. 86
and BP-S148.070 APR 94



Page 2 of Copy 1

BP-S148.035 INMATE REQUEST TO STAFF CDFRM

JRP 34

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) <i>AW Stafford</i>	DATE: <i>8-27-06</i>
FROM: <i>Kimberly Cardson</i>	REGISTER NO.: <i>07658-032</i>
WORK ASSIGNMENT: <i>Cellar Room</i>	UNIT: <i>B-Block Range 4</i>

(Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

to find out if the inmates had told the truth. And you should
I told Mr. Carroll "why was I being punished and
penalized after being assaulted. Mr. Sub detail and a
day grade should not change". Mr. Carroll state I
had a full crew and had no where to put me. I told Mr.
Carroll I was going to talk to the Ad about this and he
said "I don't care who you talk to that is the way it is"
So I left and went to Lt Jones SIS and reported this he
was going to talk to Mr. Carroll. AW Stafford I was never
pleaded than I did a med. call after the assault this was
a very serious assault

(Do not write below this line)

DISPOSITION:

Signature Staff Member

Date

Record Copy - File; Copy - Inmate
(This form may be replicated via WP)

This form replaces BP-148.070 dated Oct 86
and BP-S148.070 APR 94



BP-S148.055 INMATE REQUEST TO STAFF CDFRM
SEP 98

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) <i>AW Stafford</i>	DATE: <i>8-27-06</i>
FROM: <i>Kimberly Goodson</i>	REGISTER NO.: <i>07658-032</i>
WORK ASSIGNMENT: <i>Recreation</i>	UNIT: <i>B-Bld Range 4</i>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

I was moved to the Recreation Subdetail starting Monday. To my surprise on the call out on 8-26-06 Mr. Carlett hires inmate Rodriguez as Cottage Maintenance work detail. Ms. Stafford checks Mr. Carlett lied to me on 8-24-06 that he had spoken to him regarding this job that was opened and he stated he did not have any openings. Why am I punished and penalized by losing my job and grade in pay due to this assault. Could you please restore my job and grade in pay immediately. Thank you for looking into this issue. This can be verified by the call-out.

Kimberly Goodson

(Do not write below this line)

DISPOSITION:

Signature Staff Member	Date
------------------------	------

Record Copy - File; Copy - Inmate
(This form may be replicated via WP)

This form replaces BP-148.070 dated Oct 86
and BP-S148.070 APR 94



U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: Goodson, Kimberly C 07658-032 Valley Bldg 4 Aldersm
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

ON August 19, 2006 Inmate Goodson was beat
 severely around the head and face with a combination lock. Resulting in a hair line
 fracture above the right eye socket constituted cruel and unusual punishment violating
 Eighth Amendment rights to be free from cruel and unusual punishment and
 unnecessary infliction of pain that violated standards of decency. Deliberate
 indifference of prison officials to the seriousness of the assault was unnecessary
 and infliction of pain. Inmate Goodson was denied access to medical treatment
 (after care) or psychological help.

Prisoners are entitled to protection from assaults by other prisoners. Prison officials
 have duty under Eighth Amendment to protect prisoners from violence at hands of other
 prisoners. Prison officials inadequately screened inmates mental, emotional, or other
 problems resulting in injury to inmate Goodson. Officials failed as a result of
 deliberate indifference to protect him from violence of other inmates states claim for cruel
 Sept 7, 2006

SIGNATURE OF REQUESTER

Part B- RESPONSE

BP-9,
 regarding
 assault

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL RETURN TO INMATE

CASE NUMBER: _____

CASE NUMBER: _____

Part C- RECEIPT

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)

BP-228(13)

and unusual punishment, failure to employ and train sufficient person security personnel to ensure safety of inmates from physical attacks by other inmates and states cruel and unusual punishment. Only one officer was on duty to provide safety and security for an entire building which has four(4) units and houses over 600 inmates. The A-Building was seriously overcrowded with inmates sleeping in fish balls and bus stops. At the time of the assault the officer was at the smoke shack smoking and left the unit without guard duty.

Eighth Amendment imposes obligation of federal Correctional officers to take reasonable steps to protect inmates from violence at hands of other inmates. Prison officials had knowledge of impending risk of harm and injury. Inmate Ortiz had made phone calls stating she was going to get a transfer closer to her family. Officials were deliberate indifference to prisoners right to security. Officials failed to screen phone calls of inmate "Ortiz" to be assigned to "investigative status" officials could have taken measures to reduce incidence of such violence. Officials are guilty of negligence and deliberate indifference to the seriousness of the situation.

Overcrowding and lack of security violated eighth Amendment of cruel and unusual punishment clause "overall conditions were in humane".

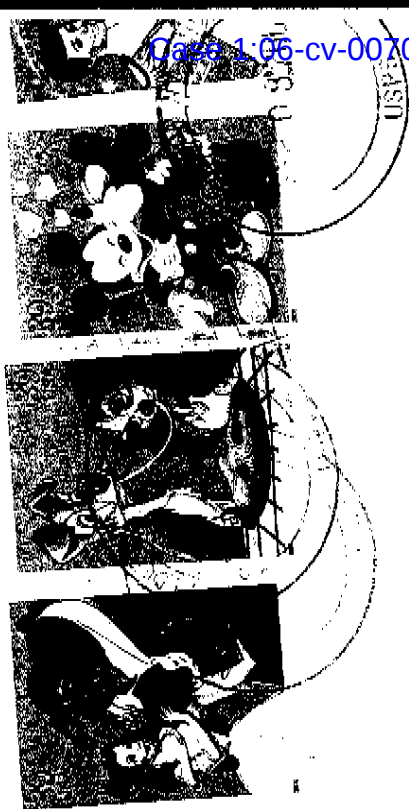
Officials ignored advice of doctor and interfered with cause of medical treatment. Inmate Cordson was instructed to apply ice and take Tylenol for pain. Certain treatment eliminated pain and suffering at least temporarily. Officials failed to deliver inmate Cordson's medication in timely fashion and failed to give ice in a timely manner while in protective custody. Cordson was denied access to medical or psychological help. Officials showed deliberate indifference to medical and or mental needs of Cordson who was seriously injured during the assault with a lock.

Relief: Prevent future deprivations of inmate Cordson's Constitutional Rights by employing adequately trained officials required for high standards of safety, security, sanitation, and discipline which promotes a physically and emotionally sound environment. Warden Hickey should be held liable for negligence and deprivation of Inmate Cordson's Eighth Amendment right to be free from cruel and unusual punishment.

Warden Hickey plainly proved dereliction of duty and abused the color of law, color of office, and color of Authority, hence causing irreparable harm and damage to inmate Cordson. Warden Hickey's Office is expected to protect given her position and as Warden she violated her post based on the facts already shown in the above cause of action. Therefore her dismissal is warranted. Thank You for considering the cause of action at hand.

Kimberly Cordson
07658-032
September 7, 2006

Kimberly Gordon
01458-032 B Bid Range 4
Federal Prison Camp
P.O. Box A
Alderson, WV 24910.



United States District Court
Southern District of West Virginia
Office of the Clerk
P.O. Box 4128
Bluefield, WV 24702

Legal
Mail

12/10/06